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Senate

The Senate met at 10 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our King, we are grateful that righteousness and justice are the foundation of Your throne. Give our lawmakers such a connection with You that they will hate evil. Let the light of Your wisdom shine upon them, providing them with the joy of doing right. Save them from life's pitfalls, providing them with the protection of the shield of Your favor. Lord, remind them of Your faithfulness so that they will trust the unfolding of Your loving providence. Help them to remember that You have sustained America throughout its history. Remembering how You have led us in the past, may our Senators feel confident that You will complete the work You have started.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 26, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. MCCONNELL. Mr. President, the Senate is continuing to move forward on President Trump's outstanding judicial nominations. Many of the well-qualified men and women the President has nominated enjoy substantial bipartisan support.

Unfortunately, Senate Democrats have decided to continue wasting the Senate's time with the pointless obstruction of these nominees. Time and again, they have erected partisan procedural hurdles that are designed not to change the outcome—they don't change the outcome—but simply to waste the Senate's time. Often, Democrats do not even oppose the nominee in question.

Let's compare the number of times this days-long delay has been invoked for nominees of the last two Presidents during the first years of their Presidencies—during the first year of the Obama Presidency and the first year of the Trump Presidency. Republicans required cloture on one of President Obama's judicial nominees during his first year—cloture one time on a judicial nominee for President Obama in

his first year. Democrats have invoked this delay for every single one of President Trump's judicial nominees, so far, except one. This week, they are at it again.

Today, we will have a cloture vote on the nomination of Trevor McFadden to the U.S. District Court for the District of Columbia. Not a single Democrat on the Judiciary Committee registered an objection to the nomination; yet we still have to waste time in overcoming a procedural hurdle from our Democratic colleagues before the Senate can take up the nomination and consider it. It came out of committee with no opposition.

We are not going to let these mindless attempts to slow progress stop us from confirming the President's nominees to the judiciary. If that means more cloture votes and more time focused on this task, that is what we will do, but we will confirm these nominees. You can count on it.

OPIOID EPIDEMIC

Mr. MCCONNELL. Mr. President, on another matter, for families in Kentucky and across the Nation, the devastation of opioid abuse can be a constant and painful reality. Communities are forced to endure grief, worry, and loss. A recent report showed that my home State suffered more than 1,400 fatalities as a result of drug overdoses last year alone.

Despite the troubling statistics, however, there are glimmers of hope. The Republican-led Senate has worked hard to pass important legislation like Jessie's Law, the 21st Century Cures Act, and the Comprehensive Addiction and Recovery Act. These measures are important steps that should lead to real progress. There are many other important efforts across the country as well. From coast to coast, we hear stories of men and women in recovery who are managing their addictions. We are heartened by these testimonies that

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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proper treatment offers real hope. They help remind everyone as to why we must continue to press forward. The task that remains is staggering, but we are committed.

Later today, President Trump will help our country take another step forward. We expect that he will formally recognize the opioid epidemic for the public health emergency that it is. This announcement builds upon years of progress that Congress has made in responding to addiction with comprehensive action, including prevention, enforcement, and treatment.

I commend the President for his continued commitment to this cause. When he visited us in the Senate earlier this week, he discussed the national epidemic and his administration's efforts to fight back. Along with my colleagues, I stand ready to work with him on future proposals to provide the necessary tools to protect our communities from this scourge.

A single bill or program is never going to solve this crisis on its own. Only a sustained, committed effort can do that. I am proud of our efforts to combat opioid addiction already. I also know that we will continue to push forward with continued collaboration with many groups both in Washington and in States and communities all across our country so that, one day, we can finally say that our country has beaten this crisis once and for all.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, yesterday afternoon the nonpartisan Congressional Budget Office came out with a score for the bipartisan Alexander-Murray bill. The CBO report confirms that the Alexander-Murray bill is a great deal for the American people. It does precisely what it was intended to do. It stabilizes the marketplaces, helps to prevent premiums from skyrocketing, and reduces the deficit, by CBO's estimate, nearly \$4 billion.

As Senators ALEXANDER and MURRAY noted, the report shows that their bill "will benefit taxpayers and low-income Americans, not insurance companies."

Even the Wall Street Journal editorial board—no liberal cabal, that is for sure—said today: "The bipartisan compromise proposal crafted by Sens.

LAMAR ALEXANDER (R-Tenn.) and PATTY MURRAY (D-Wash.) now officially falls into the category of 'so obvious it should pass immediately.'"

That is not CHUCK SCHUMER talking. That is not even MITCH MCCONNELL talking—for those on the hard right who might doubt MITCH MCCONNELL's fidelity. It is the beacon of the hard right, the Wall Street Journal editorial page.

They say, again: Alexander-Murray "falls into the category of 'so obvious it should pass immediately.'"

So, my fellow Republicans, what are you waiting for? Everyone on your side wants the bill. Jump on it. Support it. Let's get this done, and let's help stabilize our markets, whatever our views are on healthcare.

Above all, these reports should be all the evidence that President Trump needs to come off the sidelines and endorse the bill. It doesn't bail out the insurance companies; that is what he said he was worried about. It doesn't cost the government money, and, in fact, it reduces the deficit by \$4 billion. So there is no good reason for President Trump to continue to obscure his position.

Leader MCCONNELL has said he will put it on the floor if the President says he will sign it. By delaying, the President is harming healthcare markets, causing significant uncertainty, and doing nothing but hurting Americans who are trying to afford healthcare.

So, Mr. President—President Trump, not my dear friend, the Acting President pro tempore, the Senator from Alabama—President Trump, if you don't pursue this bill, the consequences will fall on your back. Make no mistake about it.

THE BUDGET

Mr. SCHUMER. Mr. President, on taxes, later today, the House will likely vote on whether to pass the budget resolution that recently passed the Senate. My colleagues in the House should be aware that this budget will explode the deficit by \$1.5 trillion. That is under the best of circumstances. That is under circumstances where they find \$4 trillion of pay-fors. That is probably unlikely. It will slash Medicare and Medicaid by \$1.5 trillion, and it will set up the same awful partisan process that caused the Republican effort on repeal and replace to fail, because when you try to do it with one party, it is fraught with peril. If you do it in a bipartisan way, a few people on either side will try to pull the bill off course but they will not succeed because they don't have the votes.

I remind my friends in the House who purport to be deficit hawks: You are voting for a budget that will increase the deficit by \$1.5 trillion. Many of these House Members, particularly in the conservative wing of the caucus, particularly those in the Freedom Caucus, have spent their entire careers on the barricades, railing against the evils

of deficits. What a stunning hypocrisy it would be to abandon those principles today and vote for this budget simply because it gives tax cuts to the wealthiest of Americans and the most powerful, largest of our corporations.

Now I would also remind my Republican friends in the House—particularly those in New York, New Jersey, California, Pennsylvania, Virginia, Illinois, Washington, and Minnesota—that voting for the budget today is tantamount to voting for the elimination of the State and local tax deduction, and that would sock it to the middle-class taxpayers in their States and districts. To most of our Republican friends from those States, they are blue States, but there are red districts that are suburban, well-off. They will get clobbered if they take away the State and local deduction. Those are the constituents hurt the most—not the rich and not the poor—the middle class and the upper middle class. Not only will it raise their taxes dramatically, but most people would lose deductions between \$10,000 and \$20,000. That ain't chickenfeed.

It would lower home prices. A recent study by the National Association of Realtors done by Pricewaterhouse Coopers, the esteemed accounting firm, showed that eliminating State and local would erode property values, the rock of the middle class, by 10 percent. To middle-class folks in New York and, I believe, around the country, their home is their piece of the rock. They struggle each month, paying the mortgage, paying the taxes, paying for the upkeep, but they are hoping that by the time they reach later middle age they will own that home, and that gives their kids a place or gives their kids a nest egg when they pass it on. But this bill, by eliminating State and local, reduces across America, on average, home values by 10 percent. So it is a double whammy to the middle class, raising their taxes and lowering their home values. Why would we do that?

You don't have to take it from me. I will tell this to my Republican colleagues. PETER KING is a hard, rock-ribbed Republican who has a lot of courage and who this morning was on TV talking about investigating Hillary Clinton, but here is what he said about repealing the State and local deduction. He said that it "will devastate my district forever." That is a solid middle-class and upper middle-class Republican district on Long Island.

Here is what else PETER KING said: "How anybody from New York and New Jersey can vote for this budget without knowing what is in the tax bill is beyond me." He was referring to the State and local tax deductions.

I salute PETER KING for telling it like it is. Having the courage to stand up and say to his own party's leadership: I will not forsake my constituents for a tax bill when I don't even know what the details will be. The remaining Members of the New York, New Jersey, California, and other delegations have